

The event caused a deep sensation. And 'old England,' it is said, exhibited some tokens of a disposition to defend the honor of her insulted flag from any further and similar outrage that might be attempted upon it. The act was remonstrated against at Washington; and no definite action was there had on the subject, it is understood, that there has since been no enforcement of these 'safety laws' against subjects of Great Britain.

The severity with which this class of the laws of slaveholding States operate on masters of vessels visiting the ports of such States, is scarcely less tolerable, than that which they visit upon our colored citizens employed in board of those vessels. The great inconveniences and burdensome expenditures to which those masters are subjected by the temporary imprisonment of their seamen when in southern ports, are by no means the least of the evils to which they are exposed by the operation of the laws in reference. They are exposed, under those laws, to the imposition of expenses still more burdensome, in the shape of fines, and to be visited with ignominious punishment by the incarceration of their own persons. If a captain leave a southern port—say a port of Virginia, for example—with a slave on board his vessel, he 'shall,' in the language of the statute of that State, already quoted in this report, be adjudged guilty of felony, and upon conviction thereof, shall be punished by a fine not less than five hundred dollars, and shall also be imprisoned in the jail or penitentiary house, for a period not less than two nor more than four years.' And such—according to a declaration of the same statute—shall be the judgment, and such the penalty in every such case, though the fact of there being any such slave on board of said vessel, were proved to have been utterly unknown 'both to the captain, and to every other soul belonging to the vessel.'

A captain of a vessel belonging to Fall River, in this State, was, together with his mate and crew, subjected to treatment most unjustifiable and cruel, at Wilmington, North Carolina, under a law of that State, similar, though, perhaps not quite equal in severity, to this of Virginia. Entirely without the knowledge of the captain, the mate, or any of the crew, a slave had secreted himself on board his vessel. The slave was discovered in consequence solely of a suggestion made by the captain himself, after those in search of him had given up the search, and were about to leave the vessel. Yet the captain, mate, and crew, were forthwith hurried to jail. The greatest indignity, violence of passion, and anguish, were manifested towards the captain. He, however, was bailed out; and a bond of indemnity having been given—for an action had been brought against him for the recovery of the fine of five hundred dollars—he was permitted to leave the State, and prosecute his voyage. Afterwards, the mate, having procured bail, was also delivered from prison. But some ten months elapsed, and the crew were still in confinement exposed by their situation to great suffering. These facts in relation to the Fall River vessel, were testified to by Samuel Green, a citizen of Massachusetts, before a Committee of this Legislature, in 1836. At the time of their occurrence, Mr. G. was at Wilmington. Some time afterwards, his business required that he should again visit the place; but so much bitterness and ill will had sprung up there against him, on account of the friendly regard he had manifested for the imprisoned seaman of the aforesaid vessel, that he was urged by his friends not to adventure thither.

A newspaper, called the 'Wilmington Press,' and published at that place, in remarking on this affair of the Fall River vessel, just after it had taken place, employed the following language: 'All and this trouble, cost, and distress, has been brought about, for what? Nothing in the world but that strangers will be wedded with our merciful laws, even to their infraction—laws that in no way affect them, neither in person or property, but which are essential to our self-preservation. They will intermeddle, although they know, that to carry away a slave, intentionally, is death on the conviction; and the commanders of vessels will be careless and negligent, although they know that they are liable to a fine of \$500, if a slave is found on board, even, without their knowledge. We would, in the spirit of sincere friendship, warn them that the laws will be enforced—as heart-rending as the event would be to all, the dreadful penalty of the laws will be enforced, on the first conviction.'—Comment on such sentiments were superfluous.

Some of the laws belonging to the class under consideration may affect our captains very injuriously in another respect. For example: the law of South Carolina, which authorizes the imprisonment of our colored mariners during the continuance in her ports of the vessels to which they are attached, also provides, that if the captain of any such vessel should sail without taking on board those mariners, thus imprisoned, he shall himself suffer imprisonment, and pay a fine of one thousand dollars.

In 1823, a petition, signed by captain Jared Bunc, master of one of the packets plying between Philadelphia and Charleston, and forty-one others, also captains of American vessels, then lying at the port of Charleston, was presented to Congress. The petition affirmed this law of South Carolina to be contrary to the Constitution of these United States, and prayed Congress to adopt such measures as would release them from the oppressive situation in which that law had placed them. What disposition was made of this petition, the undersigned has not learned. He would be glad, were he able to state, that it was regarded with as much favor, as the remonstrance made at the same place, and against the same law, by certain of the subjects of George IV. It may not be unimportant to add, that captain Bunc had, on one occasion, when two free persons of color, and native citizens of the United States, were taken from his vessel and imprisoned, appealed to a court of South Carolina for a habeas corpus, to inquire into the cause of the arrest and detention of those persons; that the said writ being allowed by the said court, and the sheriff having returned, that they had been arrested and imprisoned under the before mentioned act of 1822, and a motion having been made for their discharge on the ground that the said act was contrary to the Constitution of the United States, and the court having determined that the said act was unconstitutional, the case in question was removed, by appeal, to the highest tribunal of the state, where, after argument, the said court being divided in opinion, the case was suspended, and the prisoners were deprived of the relief for which they moved.

In reference to the facts which have now been detailed, the undersigned would respectfully submit, if some action ought not to be taken by this Legislature. Does not Massachusetts owe it, alike to her citizens, and to her own dignity and honor, to utter her solemn protest against those laws of her sister states, which rob so many of her citizens of the 'privileges and immunities, guaranteed to them by the Constitution of the United States?' And is she not bound by the same reasons, to do what she may to protect those citizens in the enjoyment of their inalienable rights?

It has been seen, that, under the laws in question, citizens of Massachusetts, whose complexion chances to be less fair than that of the most fortunate race, going into those states for purposes of business, or happening to be driven thither by circumstances of unavoidable adversity, even, may, though guilty of no crime, nor accused of any, be arrested and imprisoned as runaway slaves, and, if unable to prove their freedom by the testimony of white men, be sold into slavery for life; that citizens so arrested and imprisoned, should, in proving their freedom, be compelled to pay the expenses imposed on them for jailers' fees, board, and doctors' attendance; that this might happen to me occupying the loftiest stations of trust and honor under the government of this Commonwealth—for here no legal obstacle, or, in the words of another report, lately presented to this House, 'no restraint, save that of prejudice, prevents the man of color from seeking the highest honors and holding the most elevated offices of church or state;' that those citizens, on visiting certain southern ports as seamen, are always incarcerated, and often subjected to great suffering, during the continuance in such ports of the vessels to which they belong—besides being liable, should they chance to get left by their captains, to be sold into bondage; that, by this practice, the owners of such vessels are subjected to burdensome expenses, and the masters of them to great perplexity and trouble,

as also to heavy fines and imprisonment, if by any means they should leave port without their imprisoned seamen; and that the captains of all our vessels visiting southern states, whether there be or not colored persons belonging on board, are exposed to the loss of their property, and to the ignominy of incarceration, if a slave secreted himself on board one of their vessels, though he do so without the knowledge of the master, or of any of the crew.

If any of this injustices were inflicted upon our citizens by a foreign people, Massachusetts would be shamed from the center to the circumference. And must she quietly endure it all, merely because it chances to be done by her own sister states? Should she not, will she not, at least, lift up her voice against it? And will she not, also, do what she may to protect and preserve the personal liberty of her citizens, however humble, even, may be the condition of those citizens? In the judgment of the undersigned, there can be no doubt as to the propriety of doing this, and the manner of doing it, will, but one answer to these interrogatories, by all who reverence and honor the state of their nativity, and cherish a fitting regard for the sacred rights of their citizens. He therefore, with entire confidence, offers for the adoption of the Legislature, the accompanying preamble and resolves.

All which is respectfully submitted,

GEORGE BRADBURN.

RESOLVES

Touching certain laws of slaveholding States, which affect the rights of citizens of Massachusetts.

Whereas, under the laws of several states in this Union, a part of the citizens of this Commonwealth, visiting those states for purposes of business, and others driven thither by misfortune, may be, and, in point of fact, often have been, and do still continue to be, the victims of guiltless crime, incarcerated in prisons, subjected to onerous fines, and in many instances sold into temporary, and not seldom into perpetual slavery; therefore,

Resolved, That this Legislature deem it a paramount duty of the state, to protect its citizens in the enjoyment and exercise of all the rights, to which, by virtue of their citizenship, they are entitled.

Resolved, That this Legislature do solemnly protest against the laws in question, as a direct invasion of the sacred rights of citizens of this Commonwealth, and, probably, against the laws in the spirit of the Constitution of these United States, and as under derogation of that great principle of the common law, which presumes every man to be innocent, and treats him as such, until he be proved guilty.

Resolved, That this Legislature do, in the name of the people of Massachusetts, demand of the citizens of the Commonwealth, an immediate and unconditional release of all slaves held in any of the states of the Union, and that the penalty in every such case, though the fact of there being any such slave on board of said vessel, were proved to have been utterly unknown 'both to the captain, and to every other soul belonging to the vessel.'

A captain of a vessel belonging to Fall River, in this State, was, together with his mate and crew, subjected to treatment most unjustifiable and cruel, at Wilmington, North Carolina, under a law of that State, similar, though, perhaps not quite equal in severity, to this of Virginia. Entirely without the knowledge of the captain, the mate, or any of the crew, a slave had secreted himself on board his vessel. The slave was discovered in consequence solely of a suggestion made by the captain himself, after those in search of him had given up the search, and were about to leave the vessel. Yet the captain, mate, and crew, were forthwith hurried to jail. The greatest indignity, violence of passion, and anguish, were manifested towards the captain. He, however, was bailed out; and a bond of indemnity having been given—for an action had been brought against him for the recovery of the fine of five hundred dollars—he was permitted to leave the State, and prosecute his voyage. Afterwards, the mate, having procured bail, was also delivered from prison. But some ten months elapsed, and the crew were still in confinement exposed by their situation to great suffering. These facts in relation to the Fall River vessel, were testified to by Samuel Green, a citizen of Massachusetts, before a Committee of this Legislature, in 1836. At the time of their occurrence, Mr. G. was at Wilmington. Some time afterwards, his business required that he should again visit the place; but so much bitterness and ill will had sprung up there against him, on account of the friendly regard he had manifested for the imprisoned seaman of the aforesaid vessel, that he was urged by his friends not to adventure thither.

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Reported for the Atlas.]

MASSACHUSETTS LEGISLATURE.

WEDNESDAY, March 6, 1839.

REPORT CONCERNING SLAVERY.

The report resolves concerning domestic slavery, were taken up on motion of Mr. Fitch.

The motion being to recommit the report with instructions to report the resolves, offered a day or two since by Mr. Goodrich.

Mr. Garrison did not object to the report, the committee having no objection to the report.

Mr. Quincy then moved the previous question, with a view to have the question taken immediately on the report.

Upon the suggestion of Mr. Goodrich, that the previous question, if sustained, would cut off discussion and amendment of the report,

Mr. Quincy withdrew the motion.

The question was then taken on the motion to recommit, and decided in the negative—Yea 7, Nays 20. The question then recurred on the adoption of the report.

Mr. Spofford moved to lay the report on the table—

The question on the adoption of the report was then taken, and decided in the affirmative—Yea 22, Nays 5. So the report was adopted.

plan he would go as far as any man. This indefinite kind of legislation, which proposed nothing, would accomplish nothing. He would be in favor of any reasonable definite action, but was opposed to this system of excitement which had prevailed, and which led men to petition that Negroes, Indians and Half-breeds, might marry white women, and induces the ladies of Lynn to petition that they might marry these colored gentlemen.

Mr. Spofford said he was surprised to hear such doctrine advanced on this floor. He should never be deterred from declaring and restating his sentiments for fear of irritating the South. The South had agreed to and professed to glory in this, which pronounced 'all men free and equal,' and now if they chose to be excited because we declared the same sentiment, let them be irritated. It was well known to the world that our doctrine is, that all men have an equal right to the fruit of their own labor, that they are free and equal, and why need the South be irritated at this, when they had once assented to the principle? Let them come up to the act of the Congress of 1776, when the distinct Colonies resolved, 'that all men are created equal.' At best the doctrine of southern politicians is, the Constitution must not be construed. O say it, say they, to the letter. What says Mr. Clay to the act of the Congress of 1776, when appealing to Heaven, declared all men free and equal and entitled to liberty? Was this no pledge that the poor black man should taste the liberty he was entitled to? And how did Mr. Clay redeem that pledge, when, in 1820, he, then speaker in Congress, carried by management of a bill establishing slavery in Missouri?

The Constitution gives Congress power to legislate in all cases whatsoever, for the District of Columbia. Still Mr. Clay thinks he cannot legislate on the subject of slavery, because he thinks Maryland and Virginia did not expect it would be done when the district was formed. Legislation would be a violation of the compact of the states. The compact of the states is, that all the states are equal.

Mr. Spofford said he had nothing to do with the subject of the slaves in the South. He was the African slave trader, that all the colored nations concerned in declaring it piracy, but he sincerely doubted whether it was attended with so much misery suffering as the domestic. If the Africans are as much improved as some have maintained by living in this civilized and Christian land, in the same proportion were their sensibilities increased, and also their suffering, when husbands and wives were separated, and children torn from their parents to be carried or driven into hopeless distant boudoirs.

We are told that the South were formerly talking of giving up the slaves, but what did that talk amount to? While they were talking, it had increased from \$600,000 up to \$2,000,000; when would their spontaneous action end slavery at that rate?

We are told about the loss of property which the slaveholder will suffer if the slaves are liberated, but for his part he acknowledged no such property. What was more absurd than to hold that one man had a right to buy and sell and use another, merely because he was a little difference in the color of his skin? And what was more absurd than that? Thousands of slaves in the United States were as white as their masters—or as white as many of us.

Mr. Spofford said he would be as liberal as the gentleman from Plymouth in raising funds, but as to the distribution of them, he should pay them over to the liberated slave, who had labored until he was forty, fifty or sixty years old, without wages—instead of paying to the master who had had all the profit of this labor.

The gentleman speaks of letting the slaves all loose, and wants to know what would become of them when they were loose. What would most care for their lives? like other men? The colored should be emancipated, and given no measured terms of the meanness and cruelty of Turkish slavery? What if the new enfranchised children of Leonidas should send over to our western world their sympathy for a race groaning under far worse than Turkish slavery?

The speaker then calculates the value of the slaves in dollars, and makes them at the lowest estimate worth \$12,000,000. 'He knows,' he says, 'there is a vision of property, which holds slaves are not the subject of property.' But they are. 'That is property which the law declares to be protected.' Mr. Clay shows that the slaves in the White Mountains and the Granite State, and the good people of New Hampshire should so amend their Constitution as to tolerate slavery, and the legislature of the State should by law declare Henry Clay to be the property of Isaac Hill, he would become such by his own showing, especially if Isaac should buy him and pay \$100 for him to some one, who should seize him and sell him for that money, full as much as he would be worth for a slave. He might sigh to go back to the wife and children he left at home, and his master would have the right to make him, and his master would have the right to task him severely, and wear him out in a year or two, or task him more lightly, and let him hold out the longer, for he is his property, declared so by the law. And who would rob a man of his property?

Mr. Clay ought to read the sentiments of Blackstone, Mansfield, and Brougham, those great masters of the English law, and whose commentaries and decisions form a great part of the common law of our own country. He would learn from them that laws confine with the eternal and immutable principles of justice and truth, and that the law of God is the law of the land.

This question of property, by the way, is the line of division between the abolitionists and colonizers. One society declares the slave to be the bona fide property of the master. The other takes the high and noble ground, that every man is the owner of his own limbs, his own powers of body and of mind. The whole Christian and civilized world is fast yielding as sent to the latter doctrine. This doctrine will, ere long, break the chains of every slave. The mere calling of the report is, to bring the slaves into the same position as the colored children of Africa, as enemies to the master, and to make them slaves.

Upon the suggestion of Mr. Goodrich, that the previous question, if sustained, would cut off discussion and amendment of the report,

Mr. Quincy withdrew the motion.

The question was then taken on the motion to recommit, and decided in the negative—Yea 7, Nays 20. The question then recurred on the adoption of the report.

Mr. Spofford moved to lay the report on the table—

The question on the adoption of the report was then taken, and decided in the affirmative—Yea 22, Nays 5. So the report was adopted.

ANTI-SLAVERY.

NEW YORK LEGISLATURE.

LIGHTS AND SHADOWS OF ABOLITION.

The judiciary committee of the Assembly, set apart to whom the anti-slavery petitions were referred, set apart Wednesday, and Thursday evenings of this week, to hear the counsel on behalf of the petitioners in relation to the several topics embodied in their petitions.

Public notice was accordingly given and the committee met on each of those evenings at 7 o'clock on each of said evenings, a large audience of the counsels and friends of the reporters, to whom the committee gave audience to the report.

Mr. Quincy withdrew the motion.

The question was then taken on the motion to recommit, and decided in the negative—Yea 7, Nays 20.

The question then recurred on the adoption of the report.

Mr. Spofford moved to lay the report on the table—

The question on the adoption of the report was then taken, and decided in the affirmative—Yea 22, Nays 5. So the report was adopted.

ANTI-SLAVERY.

The editor of the Michigan Observer, in reviewing the great speech of the boasted orator of the West, makes the following excellent remarks:

We beg leave to say, with all due deference to those who base the claims of Henry Clay to the consideration of posterity upon this claim in our country, that the influence of slavery over the slaves in the District, the impeded faith to maintain slavery there, the odiousness of slavery and the slave trade in our nation's capital—where a pure sacred liberty, should be upheld—will be the chief祸根 of all the woes of the slaves.

On this part of the subject Mr. S. alluded to the fact that while the slave trade in the new state of Missouri, when he avowed himself an enemy of the slave, he avowed himself an enemy of dueling.

In a published address, which Mr. Clay delivered some eight years since before the Colonization Society of Kentucky, speaking of the free people of color, he said, 'of all classes of our population, they are the most vicious and contaminated themselves, and they extend their vices to all around them.' Speaking of them in another part of the same address as on their arrival to Africa, he says, 'every one of them is a slave to vice, and to a greater or less degree, to the vices of intemperance, gambling, and prostitution, in the hope of civilization, religion and free institutions.'

Stoically and so contradictory, will even great men write and speak, when advocating a cause so foul as this?

Mr. Garrison did not see much difference between the resolutions and the report. He wanted resolutions to instruct our Senators and advise our Representatives in Congress. The petitions asked for that instruction; and as this was a new Legislature, which had not yet convened, and as the next Congress, he thought it proper that such resolutions should be passed. Mr. W. then went at length into a consideration of the subject of slavery. He hoped the report would be recommitted, and the committee would be instructed to report the same.

Mr. Goodrich said he proposed the resolutions after conference with the chairman of the committee, who desired that the report should be referred to the appropriate committee.

Mr. Garrison did not object to the report.

Mr. Garrison did not object to create

LITERARY.

From the Amesbury Morning Courier.

CLERICAL HYPOCRISY.

How scrupulous are ye who bear
The Ark of God,—the mire wear,—
Ye preachers of salvation;
Lest you the gospel truths should mix
With things unholy—politics—
And leave your great vocation.

Ay—nearly scrupulous, forsooth,—
Dare not proclaim the true truth,
'Gainst slavery and oppression;
Lest ye your sacred trust profane,
And bring a deep and lasting stain
Upon your high profession.

Dare not denounce the dreadful theft
Of him, who has of right bereft
His weak, defenceless brother;
Lest it should seem ye would combine,
In league unholy, wish'd to join

The church and state together.

Dare not your nation's sins disclose,
Lest ye your sanctity expose
To Southron's vile reproaches;

Disturb the sacred quietness,
The harmony and love and peace,
Of our New England churches.

You say, 'each has its proper sphere,'
Things civil there,—and sacred here,—
How broad is the distinction!

The preacher, faithful to his trust;
In times of loudest censure, must
Disclose their wrong connexion.

And will ye then, who watch for souls,
Turn politicians at the polls,—
Join spiritual things with mammon;
Your holy office so polite,
Bring as an offering there your vote,
With other men in common?

What subtle reasons will you plead,
Th' unpleasent duty to evade;
What shameful double-dealing!

How like the recreant of yore,
With wrath commission'd, yet forbore
The threaten'd judgement telling!

And it is thus ye're sent to teach
A part of gospel truths to preach,
Left to your own discerning?
Go, preach the gospel! yet beware!
The cruel slaver's conscience spare,
Nor give him timely warning.

Did but such zeal as Paul inspir'd—
Such love, as all his feelings fir'd—
Such holy, pure devotion,
Inspire the teachings of the priest,
And kindle in his lukewarm breast,

Like ardent, strong emotion—

Then would the needy and distressed,
The fitter'd slave, so long oppressed,
Find mercy and compassion;

And slavery hide her blushing face,
Returning truth and righteousness

Save this repeating name.

Newbury, Dec. 12, 1838.

LINGER NOT LONG.

Linger not long!—Home is not home without thee;
Its dearest tokens only make me mourn.

Oh! let its memory, like a chain about thee,

Gently compel, and hasten thy return.

Linger not long.

Linger not long! Though crowds should woo thy stay-

ing,

EARTHEN thee—can the mirth of friends, tho' dear,

Remain for the grief thy long delaying

Costa the poor heart that sighs to have thee near!

Linger not long.

Linger not long!—How shall I watch thy coming,

As evening's shadows stretch o'er moor and fell!

When the wild bee hath ceased her weary hummin'

And siesta hangs on all things like a spell?

Linger not long.

How shall I watch for thee when fears grow stronger,

As light grows dark and darker on the hill!

How shall I weep, when I can watch no longer!

Oh! art thou absent?—Art thou absent still?

Linger not long.

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